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on 2 July 2009

TOWNSEND and TOWNSEND and CREW LLP

By: Malinda Wagstaff

PATENT

Docket No.: 015280-462100US

Client Ref. No.: E-121-2002/0-US-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

SHOEMAKER et al.

Application No.: 10/528,747

Filed: March 22, 2005

For: IDENTIFICATION OF ANTI-HIV
COMPOUNDS INHIBITING VIRUS
ASSEMBLY AND BINDING OF
NUCLEOCAPSID PROTEIN TO
NUCLEIC ACID

Customer No.: 45115

Confirmation No.: 1785

Examiner: Stuart Snyder

Art Unit: 1648

TRANSMITTAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Commissioner:

Further to the Office Communications dated May 19, 2009 (supplemental Notice of Allowance) and June 3, 2009, enclosed is the required substitute Declaration (in two counterparts). A Supplemental Application Data Sheet is also enclosed.

Applicants note that the May 19, 2009 Office Communication indicated that there was a three-month time period from May 19, 2009 for providing the substitute Declaration/Oath, but did not indicate that the due date for paying the Issue Fee was reset. In a phone discussion with the Examiner on May 28, 2009, the Examiner had indicated that he would issue an Office Communication that stated that the new due date for paying the Issue Fee would be August 19, 2009. However, this latter Communication

was not mailed until June 3, 2009, one day after the June 2, 2009 Issue Fee due date. Because the official record did not reflect a new due date for paying the Issue Fee, Applicants proceeded with paying the Issue Fee on June 2, 2009 to ensure that the application did not go abandoned.

Applicants believe that this application is now in order to proceed to issue, However, if there are any further requirements, Applicants respectfully request that the Examiner telephone the undersigned at 415-576-0200.

Respectfully submitted,

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